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F577h

For the People,

A PLEA FOR JUSTICE AND MERCY;

OR,

FOR EQUAL TAXATION

FOR

THE POOR IRISHMAN AS FOR THE RICH,

AS REGARDS THE STAMP DUTIES ON CIVIL BILLS AND SUMMONSES
FOR THE RECOVERING OF SMALL DEBTS IN THE COUNTY
AND PETTY SESSIONS COURTS OF IRELAND.

BY HENRY FITZGIBBON,

MERCHANT,

CASTLEREA, CO. ROSCOMMON.

"I will bring Law cheap to the Poor Man's door."—*O'Connell*.

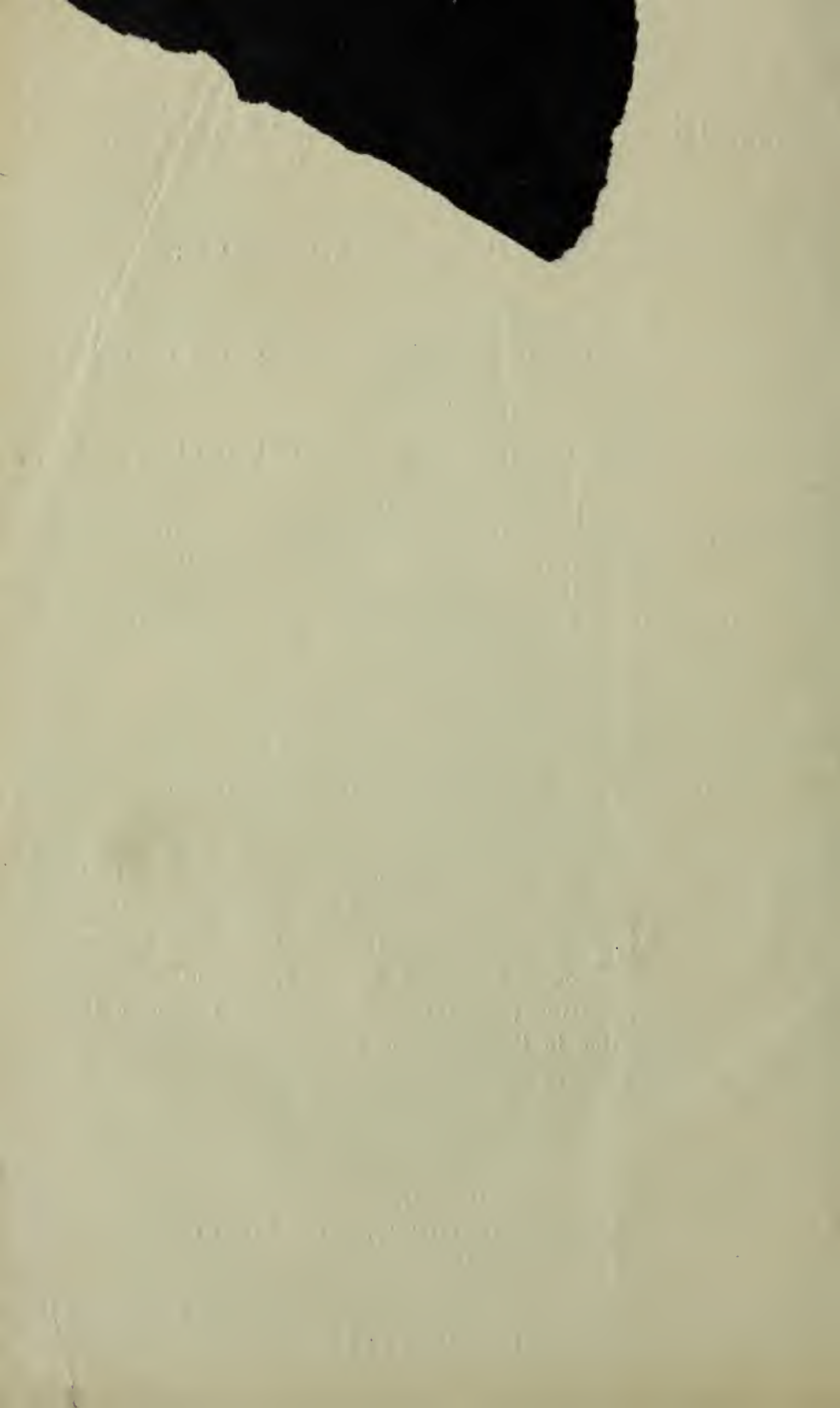
It also contains the Writer's reasons for attempting this little Work; some Reminiscences of the Stamp Assimilation Act of 1841; Hints on Grand Jury and Fairs and Markets Reform; and a passing observation on the present selfish system of Electoral Division Poor-law Ratings; some of which matters may form the subject of Legislation in the present or next Session of Parliament, and therefore may prove not uninteresting.

DUBLIN:

PRINTED BY A. MARLOW, 29, CAPEL-STREET.

1863.

PRICE SIXPENCE.



A HAND-BOOK
For the Irish People,
BEING
A PLEA FOR JUSTICE AND MERCY;
OR,
FOR EQUAL TAXATION

FOR
THE POOR IRISHMAN AS FOR THE RICH,
AS REGARDS THE STAMP DUTIES ON CIVIL BILLS AND SUMMONSES
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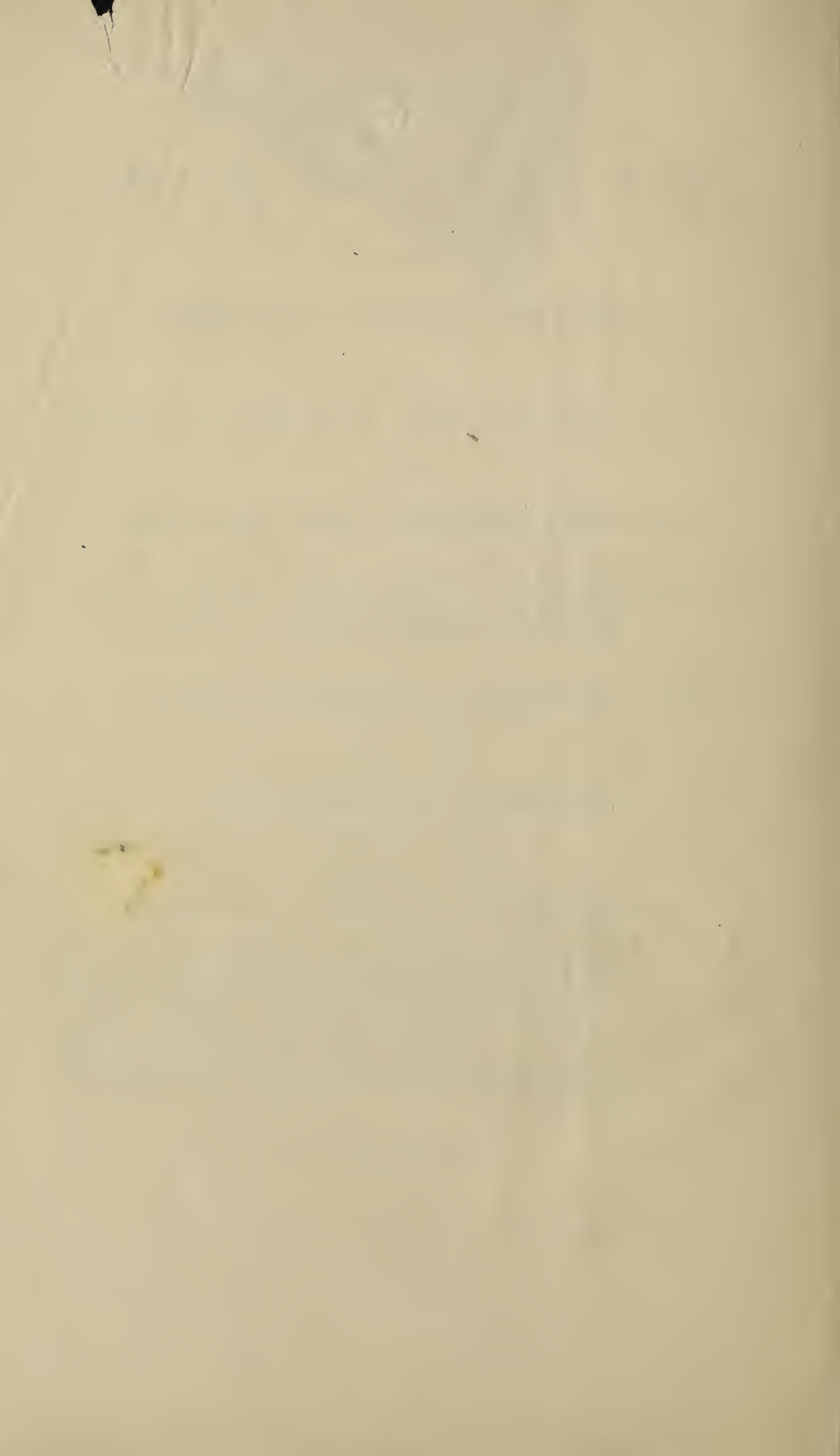
MERCHANT,

CASTLEREA, CO. ROSCOMMON.

“I will bring Law cheap to the Poor Man’s door.”—*O’Connell*.

So far from such being done, the writer hopes to shew clearly, in this small Book, that the cost of Process forms, alone, has increased 1,200 per Cent. since his death; and that thereby the extremely poor man is *crushed* and *oppressed*, whilst his *wealthy* neighbour is all but relieved from any the least *inconvenience* through the *unjust* and *unequal* taxation of the present Civil Bill (Ireland) Act.—the very reverse of things as they should be. He also proposes *plain, suitable*, and unerring remedies for that and other abuses in the County and Petty Sessions Courts, which he *fer-vently* hopes may meet the approbation of those who may “take it up and read it” with any the least attention.

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ADVERTISEMENT.

After a portion of his manuscript was printed off, the Writer thought proper to make some additions to his original plan. They contain his reasons for attempting this little Work; some Reminiscences of the Stamp Assimilation Act of 1841; Hints on Grand Jury and Fairs and Markets Reform, and a passing observation on the present selfish system of Electoral Division Rating; some of which matters may form the subject of Legislation in the present or next Session of Parliament, and therefore may prove not uninteresting.

Owing to the difficulty of keeping at a distance from town an exact supervision over the Press, a few errors in punctuation and otherwise have crept in, some of which have been noticed in a list of Errata; the others, it is hoped, will cause no trouble to the reader.

56047

11, Downing-street, White Hall,
15th November, 1862.

SIR,—I am directed by the Chancellor of the Exchequer to acknowledge the favour of your letter, and I am to state that Her Majesty's Government are, on the whole, not prepared to introduce a measure, on the subject to which it relates, at the present time.

I am Sir,

Your Obedient Servant,

CHARLES L. RYAN,

H. FITZGIBBON, Esq., Castleroa.

P R E F A C E .

The writer intends this as a Hand-Book for the poor Householders of Ireland, in the hope that from it they may learn and comprehend the grievance of the Process and Summons Stamp infliction, and be induced to assert their just right to equality of taxation. Whether it may pass through a second edition or not, depends in a great measure on those who have the cure in their hands, as if such be applied by the State Physician, and promptly, Quacks from the *country* may retire from business; but should the system be continued, he hopes, before two years hence, to hear of its being kept and read in almost every village and hamlet in Ireland—as it contends for nothing more or less than *fair play* for the poor man as for the rich, in the County and Petty Sessions Courts of Ireland. In addition to the letters to the Chancellor of the Exchequer it contains also an Address to the Lord Chancellor and the other Judges, as heads of the Law; to the Parliamentary Representatives; the Law Officers; the Chairmen of Counties; the Newspaper Press of Dublin, and of the Provinces; to the Irish Corporate Bodies and the Boards of Guardians, in general; and to each Irish M.P., Judge, Chairman, and Newspaper Proprietor in Dublin; in particular, to each and every one of which four last classes of gentlemen, a copy of this is to be sent, so they may all have an opportunity of seeing with their own eyes, and then telling him, if they can, that this system of unequal taxation is

to be a perpetual legacy, entailed on their impoverished countrymen, through the bungling legislation of Mr. Hatchell, when Attorney-General of Ireland.

It is also intended for other benevolent persons on both sides of the channel, who may be excited through curiosity or induced by charity to wade through it; and it concludes with an explanation, why the writer has dared to obtrude himself on the reading public, who may, he hopes, forgive him for his rashness, even though he should fail to convince them.

In order to secure, if possible, some attention to his humble but well intended effort, he has prefixed a letter received from the Government through the Chancellor of the Exchequer, dated the 15th November, 1862, just to the day one month from the date of the Statement to which it purported to be an answer,—full time for holding on it *even* three Cabinet Councils!—yet still, as hitherto, evaporating in nothing! Although placed thus, it will appear again in its proper position; and, therefore, by observing something like consecutive order, he hopes the reader may exercise the more patience, and understand the subject better.

To the Right Honorable the Lord Chancellor, the Judges of the Land, the Irish Members of Parliament, the Chairmen of Counties, the Newspaper Press, the Corporate Bodies, and Boards of Guardians, all of and belonging to Ireland, and to all others whom it may concern.

MY LORDS AND GENTLEMEN—As you may see through the foregoing and subjoined Letter from the Chancellor of the Exchequer, that Her Majesty's Government are not prepared to bring forward a measure for redressing the grievous injustice I complain of ; and as every other device which my humble ingenuity could suggest during the last nine years has completely failed me in inducing some of our most popular Irish Members of Parliament, and some of the most professing National Journalists of our country to advocate, *practically*, the cause I have in hands, of the *wretched, helpless, and forgotten class* of the Irish people, who, from their position and opportunities, are ignorant of the method and unable to help themselves, by causing their cries for relief to be heard in the high places ; but were they *even* able to exert themselves, you will always find the Misanthropes at St. Stephen's, having more leisure for inflicting *grinding measures* of taxation on the poor and helpless, than the most liberty-loving and benevolent of our country's Representatives have for even the *mitigation* of them.

Yet, be that as it may, this is to *beg* and *crave* a few moments of your valuable time, in order to see and comprehend as *atrocious* an inroad on the poor man's pocket as could be concocted by the Evil Genius of even the most despotic Government in any part of the globe, through the present Civil Bill (Ireland) Act, *brought* in, partly *borrowed*, and otherwise *hatched* by the present Lord High Commissioner for the Relief of Insolvent Debtors in Ireland, in amending ! and improving ! which, he was assisted by a Select Committee of the House of Commons, most, if not all, of its members being Lawyers ! one of them, the Right Honorable William Keogh, being at present a Judge of the land. Therefore let England's Constitutional Ministers shew themselves in contrast.

Bad and severe as that Act has been in its operation on its poor victims, it has been much improved on by the late Petty Sessions (Ireland) Act for the Recovery of Small Debts, prepared and caused to be passed by Mr. Whiteside, M.P., when Attorney-General here during the last Derby Administration, through which he has admirably succeeded in putting poor Paddy off the frying pan into the fire ! for by the first he has

a respite of three months, whereas through this last improvement in the law he can be brought up every other week! Therefore, if such facility be given to the rich man, for suing, there should be an equal kindness exhibited towards his poor neighbour, evidencing that everything is not for the first, but that all classes must be equally protected in their pockets even before they go into Court, as I am free to admit they are in the due administration of the law as it is, whenever they resort there.

And here I beg to observe, that during the passing of the Petty Sessions Act, the Right Honorable Baron Deasy exerted himself so as to get a rider to that Bill, providing that in no case should the Costs of the Court exceed 5s., for which, now as then I am most willing to give him all the credit such practical sympathy deserves; but in a short time afterwards, and when he was Her Majesty's Solicitor-General, and having the cure in some measure in his hands, and that the horror of the merciless system of taxation of the Civil Bills and Summonses inflicted on those who settle before trial, was more fully represented to him than even in my annexed statement to Mr. Gladstone, he seemed to close his eyes, to deafen his ears, and to wrap himself up in his official dignity, for he did not condescend a reply! Therefore, Why? he had reserved all his pity for the litigious man who might have a very crooked case in hands, whilst he thus overlooked the interests of the many poor but honest persons who settle before trial, has always since been to me if not a *mystery* at least a very great inconsistency!

Although somewhat out of place here, yet as not having restated it in detail in the subjoined Letter to Mr. Gladstone, M.P., I beg to say that the remedy I had suggested in former statements to him, and the four last Attorney-Generals for Ireland, for reducing the Costs of Court in certain cases of Small Debts being sued for at distant Quarter Sessions towns, was, that whenever the Chairman holds a Court in any one town, that then he do make a circuit of every other Quarter Sessions town within his jurisdiction, either quarterly, half-yearly, or even at such further stated periods as might be most agreeable and convenient to all parties concerned.

Such change would have the effect of keeping the litigant parties, in a great measure at least, within the circumscribed limits of their respective districts, and therefore obviate the claiming of costs for travelling, hotel expenses, &c.

I entertain a strong hope, after perhaps your reading this humble yet *truthful* statement, that nothing can induce you to blink the question, but that you will bring your *honest* judgment and indignation to bear upon it in such a way as to you may seem most fit and proper, and thus reduce to practice, on behalf of those poor people, words and precepts spoken by the Highest Authority nearly 1900 years since, and in such manner as must be most pleasing to Him "who seeth the secrets of all hearts." "He that is not for me is against me." "And the King answering shall

say to them, Amen; I say to you, as long as you did it for one of those my least brethren, you did it for me."

Praying that not even one of the many Gentlemen to who I am now driven to address myself, may be classed on this crying question at least, amongst the "Did it Nots,"

I have the honor to remain,

My Lords and Gentlemen,

Your very obedient Servant,

HENRY FITZGIBBON.

Castlerea, County Roscommon,

October, 15th 1862.

TO THE RIGHT HONORABLE THE CHANCELLOR OF
THE EXCHEQUER, CARLTON CLUB, LONDON.

"I will bring Law cheap to the Poor Man's door."—*O'Connell*.

"I think the present Bills and Notes' Stamp Schedule, as regards the Poor and Industrious classes, to be both unjust and oppressive."

(Or words of the like import.)

An extract from the Reported Speech of the RIGHT HONORABLE W. E. GLADSTONE, M.P., on making his Financial Statement, in the month of March, 1854.

RIGHT HON. SIR,—It is now more than two years since I had^r the honor of sending you a Memorial, (not the first within the last eight years on the same subject), as to the grievous inequality of the Process and Summons Stamps, for the recovery of Small Debts in the County and Petty Sessions Courts of Ireland, through which the poorest householder, if sued for only 2s. 6d. to 5s., on paying before trial, (and there cannot be less than 10 cases settled to one that goes into Court,) gives at least 1s. ! —it may be 1s. 6d.!! to 2s.!!! in Stamp Duty, whilst if his Lord and Master be cited to the County Court, for even £40, the highest he such

very wealthy person has to pay is only 1s. as much as in some cases 6d. ! or 1s. !! less than, his poor serf, who, through dire necessity, permits himself to be sued for such a trifle.

I shewed you then as simple a remedy as could be devised—the placing an *ad-valorem* Stamp on the Executions of the County Courts and their Dismisses; and if that would not suffice, in order to give no excuse, I now add a Penny Stamp, for both the Civil Bill Originals and their Copies.

For the relief in the Petty Sessions Courts, I *merely* requested that such small debts be placed on an equality with cases of Wages, Trespass, &c., recoverable in them from the rich and wealthy up to £10, in which the Original Summons *merely* is Stamped 6d., and the Copy or Copies are all on plain paper !—whereas, in the Small Debt Cases, the Copies must be all Stamped !! Behold the contrast !!!

I also shewed you how a poor man sued to a distant town in a Division, might be subjected in *Law Costs*, and for travelling and hotel expenses, to perhaps more than £1 !! by the recovering of *even* 5s. !!! and should you find time or inclination for doing so charitable an act ; by referring to my former Statement, you could find as plain a cure for that in it, as for lowering the present *heartless* price of the Process and Summons Stamps.

I then felt highly pleased at receiving, through your Secretary, an acknowledgement for it ; as also big with expectation, that the two last Sessions would not pass without redress being obtained for the *poor, humble, and wretched* of this country ; nay, there was not a speculator in any department of trade or commerce, &c., more anxious to get a peep at your Budget than myself, for I considered it impossible, that the kind-hearted Statesman of 1854, even if since he became callous, could resist doing Justice in '61, '62, on a relatively more *grinding* and unequal impost, if for nothing else but the sake of consistency ; for I respectfully invite you to defend it, if you can ! and shew any the least disparity, except that the present, is, if possible, the more *galling*, and therefore crying much more piteously for immediate relief.

I felt equally disappointed on reading it, and seeing that if the poor man's Process and Summons Stamps were the great man's playing cards ! for every shilling, he, the victim of poverty and starvation has been paying during the last ten years at least, he would be now only subject to 3d. ; excuse me for exclaiming even now, as did of old your great Precursor in Senatorial eloquence.

“ O Tempora ! O Mores ! ”

But perhaps you may tell me this does not belong to your department. I reply, that the House of Commons was petitioned not two years since about it ; and that I had written long previous to the present Justices Keogh and Fitzgerald, and Baron Deasy, and to Mr. Whiteside, M.P., when law officers. The two first thanked me by letter, gave vague pro-

mises, admitted the Injustice, and did nothing! The two last did less; for neither of them sent even one line in reply.

Yet I am not surprised; whereas the present highly-gifted and accomplished Attorney-General for Ireland, the Right Honorable Thomas O'Hagan, did not condescend, *even* through his Secretary, acknowledging the receipt of the copy of the Statement I sent you in the August of 1860, together with a particular one to himself; and if the quality were to be judged by the quantity, it should not be very bad, for it filled up eleven pages of foolscap! but had he since acted on it, I would *freely* forgive him for the loss of his *autograph*!

I beg to observe that as Justice is nevertheless on my side, and as you are still in office, I don't despair *even* now; for, as in 1853, you had relieved the great and wealthy, by reducing their Receipt Stamp Duty from the maximum of 10s. ! to less than an equal rating of 1d.!! as you will please bear in mind that all sums under £2 are exempt. I often imagined since, you did it as a precedent for the reduction of the Poor Man's Small Bills and Notes Stamps the year after; so I expect that as the Aristocratic Gamblers have been relieved in 1862, you may have done so in order to give them no cause for grumbling, when in 1863 I hope you may be again demonstrating that the Poor Man has still a friend in office who will not close his eyes any longer, to at least this *grievous wrong*, particularly on being informed that its victims are the class to preserve whose existence the Relief Committees of Ireland have been working for many months past, and may be said to have only now ceased from their labours,

Should they, nevertheless, murmur, you can soothe them by saying, that as regards this ruthless tax your order of Income taxation is completely inverted, for by that, the richer a man is the more he has to pay; whereas through this, the very poorest in society are the more taxed for their poverty!

And now, supposing you and your Law Officers to be quite indifferent about it, Will you please explain why the Great Man's Receipt Stamp, being of equal rating, is at the minimum of 1d. ! whilst the Poor Man's Civil Bill is at that of 1s. ! ? Along with the purposes for which each is required, Would not the ability for payment of the first dictate to any reasonable person, that it should be quite the other way ? but such is not required,—all the poor man wants is *Common Justice*.

Again, will you tell me why the Postage Duty is an *ad-valorem* one, whilst this disgraces your Statute Book? Would it be more absurd to charge for all letters, under a half-ounce, 2s. 8d.!!! as for the 16 ounce postage parcel? I am certain, you must admit it would not, as half-ounce is the one-32nd part of a lb.; whereas 2s. 6d. is only the one-320th part of £40; therefore, the sooner you get rid of this almost exceptional case of legal *injustice*, the better and more creditable for all parties concerned.

As I hinted to you in my last, the question is not, whether law, cheap or dear, be a blessing ; but, when O'Connell often promised to cleanse its "Augean Stable," and to bring it cheap to the poor man's door, the Civil Bills were then *unstamped* ; and were he now to re-visit his dear little Island, what could he think of his friends and admirers at the Irish Bar and on its Bench, for carrying out his benign intentions, by making them 1,200 per Cent. at *least* dearer than he left them.

Although I imagine myself to be perhaps sneered at by very many of the learned and eminent persons I may be driven to address on this pitiful subject, yet I hope for better things. If you and they would *seriously* look to even this Quarter's consumption of them, you must find it to be four-fold greater than at any time since the enactment of the present Civil Bill (Ireland) Act ; for the more impoverished this country is, the more will your trade in Process Stamps *flourish* ! ! therefore, if you still retain a particle of the charity displayed by you in 1854, you will not, I trust, hesitate applying an immediate remedy, which cannot in the least trench upon the Exchequer ; but which, perhaps, by putting the saddle on the right horse, although relieving many thousand poor families, may have a contrary effect. Do that, I *implore* of you, and may you, when called upon in a better world to give an account of your stewardship, rejoice you had taken into consideration the humble prayer and advice I now venture pressing on you—for you cannot forget the Scriptural passages :—

"He that is not against you, is for you ;" and
"Be ye merciful, as your Heavenly Father is merciful."

As long as I can remember reading Parliamentary Reports, I have seen that the Law Officers of the Crown, had been from one time to another promoting what they called Reforms in Chancery, and the other Law Courts where the great and wealthy are, and always will be, in constant litigation ; all that for the ostensible purpose of relieving their pockets ! Now as shillings *unjustly* levied, must be as severe on the one class as many pounds on the other, How has it happened, that the reform they have invented for the poor man is to *fleece him* ?

But if, notwithstanding, I could learn by how this may be received by you, that your legal advisers are preparing to legislate in an equitable spirit for my poor clients ; in such case, I will, of course, feel great pleasure in thus leaving it in your hands and theirs ; but should redress be further deferred, and hope not held out on it, I feel it my duty to inform you, that I intend sending printed copies of this to at least every Irish M.P., to every Chairman of an Irish County, to many of the Provincials, and the whole of the Irish Metropolitan Press, of every hue ; for this is not a question of religion or party politics—it is merely one of pounds, shillings and pence, to either Catholic, Protestant, or Dissenter, who may have the misfortune of being comparatively poor.

And here, of all our Irish Members of Parliament, I have in my mind's eye, John Francis Maguire, Esq., the representative for Dungarvan, who,

during the last Session, distinguished himself by continuously advocating the cause of our then starving population. Amongst the Chairmen, Mr. Pierce George Barron, who, in his zeal for the poor of his jurisdiction, and of course of every other place, had some year or two since denounced from his judicial seat, all and every oppression practised on them; and which speech of his was considered so good and useful, as that it got extensive circulation through the Newspapers of the day.

Of the Press,—the *Dublin Nation* and *Irishman*, as being the professing organs of Irish Rights; as also the *Freeman's Journal* of that good city; as nine or ten years since it took under its wing, and shed some editorial tears! and often at the time, for the Attorneys of Ireland having then to pay what it called a very oppressive *Stamp* or *License Duty*.

Now, to be consistent with themselves, it is to be expected that all those gentlemen, (including the proprietors and editors of the above-mentioned organs of public opinion), will feel very much rejoiced to learn (it should be presumed, for the first time,) *this glaring Injustice*, when they will, within their respective circles, more than exert themselves to get rid of it *soon*, and for *ever*.

But if, unfortunately, they should view this subject in a different light, and not act on it as I anxiously expect they should, but “pass on to the order of the day;” in that case, if amongst the 105 gentlemen returned by and from Ireland, there be but even one so *charitable* and *independent*, as to state it *plainly*, and call your attention to it in your place in Parliament, leaving out of the question the private influence which all and every one of them possess with any Government; or even one Chairman of a County to press the question on his Confreres, in order to their using their combined influence with the Law Officers and their patrons; or even a few of the Newspapers to put this question in their largest type, and often, so as that “those who run may read,” and not to be belying their principles by sticking an odd letter on the subject in their small type, and in some obscure corner of their respective Journals; in such case, this base system could not stand *even* one year on its tottering legs.

Yet, supposing all those gentlemen to endorse the present state of things as they are, by their *neglect* and their *silence*—and that sinister and undue influence be used, and that corruption and class legislation should combine, and by their ingenuity and low cunning, endeavour to prolong still a little further this *forestalling* system of unjust and merciless taxation, there are a few at least still left who will endeavour to bring it to the light, even by getting it published in the widest circulating medium this country can command; and let Ireland then see, learn, and understand the sympathy of her Representatives, the pecuniary clemency of her Judges, and the honesty and independence of her Press, and “May the Lord defend the Right.”

I have the honor to remain,

Right Honorable Sir,

Your very Obedient Servant,

HENRY FITZGIBBON.

11, Downing-street, White Hall,
15th November, 1862.

SIR,—I am directed by the Chancellor of the Exchequer to acknowledge the favour of your letter* and I am to state that Her Majesty's Government, are on the whole not prepared to introduce a measure, on the subject to which it relates, at the present time,

I am Sir,

Your Obedient Servant,

CHARLES L. RYAN.

H. FITZGIBBON, Esq., Castlerea.

TO THE RIGHT HONORABLE THE CHANCELLOR OF THE
EXCHEQUER.

Castlerea, November 20th, 1862.

RIGHT HON. SIR,—As I consider the grievance a most pressing one, I regret that the Government do not, after a month's consideration, feel that sympathy for the poor sufferers, which I flatter myself my humble Statement should excite for them; and as I cannot promise myself to live until some indefinite period, when they (if in office) may be prepared to legislate on the question, I feel myself impelled to agitate it, *even* against all odds, and to obtain for it, if possible, such publicity as may, I hope, lead the charitable and the good to see the question in its true bearing, and to take action accordingly, if such can be required; for not having at any time I have written to you received a demurrer from you or yours, I consider it to be for you a question of time, however long deferred, and for myself, an implied request to "wait a-while."!

I know that a copy of your letter must be an embellishment to my small book; therefore, I will take the liberty of making it the Frontispiece, as it were, which course, though not quite regular, will not, I hope, be displeasing to you.

I think I can give you credit for the best possible intentions, which I hope you may live to realize at no distant day, should your friends in office—your *legal friends particularly*—not kick against you.

At the same time that I admire the "collective wisdom" for being able to extract so much money, during more than ten years, from even those the least able to contribute it, I expect that whether in or out of office, you, of all men, may energetically appeal to its united justice, and thus practically endeavour to obtain for the struggling poor, that restitution of their rights of equal and just taxation so long delayed; but which in the name of *Him* who sees all things, I crave in justice at your hands, if at all within your individual power, to promote it.

* Date not mentioned.

On the whole, I cannot much blame the present or any Government for not conceding redress sooner, as by this time it is *strongly* imagined that the pressure from without carries more weight than any other earthly consideration, save and except of course the *justice of the cause* ! Therefore, if, as in the case of the new Postage system, the House of Commons were oftentimes troubled with petitions for the repeal of this tax, and were the Representatives and Press of this Country to discharge their *bounden duty* on it, Will any man tell me, that gentlemen in office, would or could continue an exaction, which I challenge any of them to defend, or shew any the least cause for even perpetrating?

I ask you, Sir, not for the first time, does it follow that because those poor men are ignorant and unable to act for themselves, or to coax or excite others of their countrymen to do their work for them, that therefore they are to remain in "*statu quo*," until "other times, and other men may do them Justice?"

I promise you, they will not, at least in silence ; if they feel the *lash*, their cries must be heard, so as that relief may appear in the long distance.

I know I have trespassed on your valuable time in this answer, more than in the ordinary course I should have attempted,—yet as intending it to be published with the other papers, I hope to be excused, and am,
Right Honorable Sir,

Your very Obedient Servant,

HENRY FITZGIBBON.

To which the following brief reply was forwarded after its receipt, as the respective dates shew :—

11, Downing-street, White Hall,
25th November, 1862.

SIR,—I am directed by the Chancellor of the Exchequer, to acknowledge the favour of your letter, of the 20th Instant,

I am Sir,

Your Obedient Servant,

CHARLES L. RYAN.

H. FITZGIBBON, Esq., Castlereagh.

Although it does not give any the least immediate hope, yet I am bound to thank Mr. Gladstone, for at least his official-courtesy in always acknowledging the receipt of my humble communications ; the reason I express my feelings towards him for such attention, is the *marked contrast* in his method of doing business with that which I had experienced sometimes at the hands of others, from whom I expected better treatment ! *Ex gratia*, about four years since, and at a time a most obnoxious measure was being prepared to be fastened on us, I had ventured particular letters on Fairs and Markets Reform for this country, to about eight of the

most ultra popular Irish Members of Parliament of that day, and of this, whose names it may not be prudent to mention just now ; and at the same time forwarded to each of them two different numbers of the Dublin Evening News of that time, in which letters from me to the Earl of Derby, then Premier, and to my Lord Naas, his Chief Secretary for Ireland, were published, the last mentioned being the promoter of what I then considered, as I do now, a very bad measure on the subject.

At the same time I gave in the public and private letters I sent them, my *plain* and *simple* remedies ; and after being at no small trouble and inconvenience, and of course some expense, the only acknowledgment I received for my whole batch of print and manuscript, was a letter in reply for those sent to himself, from Patrick M'Mahon, Esq., the Representative of the Independent County of Wexford, who had been to me long previously most kind and attentive, and did great work eight years since in relieving his humble countrymen from somewhat a similar unequal system of taxation to that I am now writing against.

My Lord Stanley, then a Member of the Derby Administration, also did the same through his Secretary ; but those from whom I had expected on the question greater things, were quite silent with *me*, *at least*, about it, which told me I might not call on them again on any subject ; neither am I calling on any of those gentlemen *particularly*, as such a system of slighting compels me to have recourse to this "forlorn-hope" method for attacking and storming the fortress of class-legislation, whereas had I met with that reception which the Justice of the cause I then had in hands merited, I would have appealed to each of them privately on this also, and no doubt by any the least exertion, such energetic gentlemen must have succeeded in obtaining Justice, if not for Ireland, at least for the most abject of her children.

THE CONCLUSION.

As it may be asked, Why I should have thus *rashly* ventured on my present course, and not have left it in the hands of the Four Courts' Authorities so conversant in the law, as that from their experience in such matters they must be the only qualified persons for applying a suitable remedy, should such, in their opinion, be requisite? I answer, that when every other method failed, I *reluctantly* have recourse to it.

So far back as the January of 1854, I had pressed it on the attention of the late lamented Frederick Lucas, he being at the time Representative for the County of Meath, who, had it pleased the *Lord* to spare him, I firmly believe would not have lost sight of it, as he did not, at the time, of another of much the same cruel and remorseless description, and for which relief was obtained soon afterwards.

Although I thus mention the great departed for his promptitude on being informed of it, yet I am bound to say, that at the time, he had kind materials to work upon. For twelve months previous I had cause to think that the present, as then Chancellor of the Exchequer, was about giving that question "his best attention," as I think he would to this years since, if the heads of the Law were to be consenting parties. Should the Law Officers of the Crown, on either side of the Channel have thrown any obstructions to his good intentions on it, I imagine he must feel sensitive at not being permitted by them to appear in anywise consistent; for if in '54 he had denounced the Stamp Assimilation Act of 1841, as being "*unjust and oppressive* on the poor and industrious classes," yet, that it had the skeleton of a sliding scale to recommend it! how can the same enlightened Statesmen look upon this, not having the ghost or shadow of one, as either *honest* or beneficial?

There were then present with Mr. Lucas, at the Mitre Hotel, Tuam, two respectable Catholic Clergymen, as any in the West of Ireland: Richard Swift, Esq., the late Member for the County of Sligo; Charles Gavan Duffy, Esq., at that time, as is *already well-known*, the proprietor of the "Nation," and Member of Parliament for New Ross; and Doctor Gray, of the Freeman's Journal; both which Newspapers might have done great service at that time and since, in at least exposing the evil system; but on which the Freeman has, from that time to this, observed a most profound silence!

For two years previous, it (the Freeman) had taken under its wing the Attorneys of Ireland, a class of gentlemen, then, as now, well able to take care of themselves, and had given the benefit of its circulation towards the abolition, at worst, the mitigation of their License Stamp Tax, which it considered to be pressing severely on them, and blamed them as being *soft!* and *negligent!* long patient! and enduring! whereas they should be

“up and stirring,” and exert themselves as became men who felt for the injury they were subjected to; and behold! through the Parliamentary exertions of Lord Robert Grosvenor, and a few others in the House, as also the kind assistance out of doors of such friends as Doctor Gray, the long-wished-for relief was obtained.

Now all that any person can expect from the Freeman is, that it will apply a like rule for the poor clients of the Attorneys, as for the Attorneys themselves; and thus its neglect of this question for so many years will be compensated for by the great and permanent good it can easily achieve, in shaming our Statesmen into *Justice*.

The same might be said of the “Nation” since 1854, until Mr. Duffy ceased being its proprietor, Mr. Cashel Hoey, being, during that time, its joint editor.

I here couple the “Nation” and the Freeman, because Mr. Duffy and Dr. Gray were both present while I was reading my Statement, and speaking to some points of it, a true copy of which I sent to each of them after their return to Dublin; and from which, if they but willed it, they might have produced many useful editorial articles; and yet from that time until Mr. Duffy had left the country, his talented and widely-circulating “Organ of Irish Rights,” never once alluded to it, nor did the Freeman’s Journal, up to the present moment.

I would not at all complain of such *gross* neglect had they, when they had the best opportunity of shewing me the error of my ways, evinced by either word or sign, that they dissented from me; for however I might still retain my own opinion, yet would I give them credit for *straightforwardness*; but so far from such, I *then* thought, and *still* think, that Doctor Gray promised me in a *most* solemn manner to have the Freeman opened towards the redress of every such grievance as I had then submitted to them.

I am bound to say, that two years afterwards, the Doctor insisted in the Freeman’s Office, “that I must have entirely mistaken his meaning,”—that it was completely out of rule for to make such unqualified promises and therefore—Since that time I was speaking to one of the Clergymen then present, who had a distinct recollection of his placing his hand on, if not his heart, at least his breast, and making such very distinct promises; and as he was not *coughing* at the time, I respectfully ask him, for what other purpose but making it most impressive, did he place himself in such an attitude? Mr. Duffy, at the same time, gave what any person must consider an implied one, for he requested of me “not to give the working of the subject matter of my Statement into the keeping of any other; that no man knew the subject better, and that I deserved unbounded credit for my perseverance and research,” on the questions contained in it; that, he said in a private conversation,—yet the readers of the “Nation” were kept as much in the *dark* as to his opinion of my humble efforts and the Justice of my cause, as if he and I viewed the subject in quite a different light; and much

more so than the readers of the "Evening Mail," which did not profess any sympathy for the poor sufferers, at the same time that it borrowed an article from the Tablet, in which Mr. Lucas coupled my name with the redress of those grievances; but which articles of the Tablet, for reasons of course best known to themselves, had escaped the notice of both the Nation and Freeman, although from being harnessed in the same cause they should be imagined to be equally anxious to read over the London Letters of Mr. Lucas, as the Editor of the Mail, who must be at the time in the habit of denouncing himself and his tenant-league principles.

A short time after the "News" being established, I went to the "Nation Office," where both were published, and submitted to Mr. A. M. Sullivan a letter on this subject, which I had written to the present Baron Deasy, when Solicitor-General, which was published soon after in it (the News), and for which I felt thankful to him and to Mr. Dwyer, the then Editor of it, the same who is the present Proprietor of the Catholic Telegraph—yet another on the same subject following my arguments and enlarging on what they had published, never afterwards found its way into it.

The first was allowed to stand or fall by its own merit, as neither of the gentlemen acted as its "bottle-holder," which did not so much surprise me as that, although being published in the News, the readers of which, —the Squirearchy and Merchants, &c—could not be affected by its unequal working; yet it was withheld by Mr. Sullivan from the readers of the "Nation," many of whom or of their friends might have felt the *cruel* operation of it.

I imagined, when penning it, that it might perhaps be perused or glanced over by the learned gentleman to whom it was directed; but I felt *almost* certain, that the readers of every popular Journal within the Metropolis, would have a full opportunity of reading and studying it, as I *foolishly* considered, that all and every one of them, would feel but too happy in borrowing it from each other, and thus diffusing through society as far as they could extend, if not the letter itself, which they might not consider fit to appear in their enlightened columns, although it found a "*locus standi*" in the Daily News, at least that they might improve on it, and in their own *forcible* and *peculiar* way both expose the abuse, and advocate the remedies I proposed; or otherwise, propose some better plan of their own. In that I was much mistaken; but can I blame the lukewarm, or what the Nation would call, "the Castle Hack" portion of it; whereas, the Nation itself, which had not to cross over to Princes-street, or further on through the city, but which was under the same roof, and where the type was already set, had both closed its eyes to the abuse and its columns against the redress of it.

I admit, that since, on a late occasion, the "Nation" had been so obliging, as to insert a letter on it, without note or comment, or other recommendation. I only ask any reader of a newspaper, what relative

effect such would have, if at all thumbed out of the obscurity of its corner to that produced on the same subject, but perhaps not written with so much point, yet “ushered in by a flourish of editorial trumpets,” when he must conclude that this grievous subject did not receive such a hearing from the Fourth Estate, as should be expected, not only from the democratic portion of it, according to their professed principles, but even as “Good Samaritans” from that section of it denominated by their oppositionists, as “anti-popular,” and ultra-conservative.

But they may laugh and say that the subject which for the last eight years has saved to their industrious countrymen *very many thousands*, was considered by them at that time to be quite fruitless!—and that the paper I read for and sent to them was *merely* worthy of their waste baskets!

To that I reply, in such opinion they must have widely differed from the writers of the following letters,—gentlemen who were looked up to, *even* by themselves, *particularly*, during the Tenant League Agitation, and which bear testimony, that at least on the business I had then in hands I had not been altogether idle:—

“House of Commons, March 7th, 1854.

“MY DEAR SIR,—I duly received your letter of February last, enclosing your able, and I will add, your unanswerable Statement, in reference to the glaring injustice and irregularity of our present Stamp Duties. Mr. Lucas, who is much pressed for time, requests of me to acknowledge the receipt of a similar letter and enclosure. We immediately saw Mr. Wilson, the Secretary of the Treasury, who informed us the matter was under the consideration of the Government, and in a short time would be brought before the House. I have now *much pleasure* in informing you, that in the Chancellor of the Exchequer’s Budget, your views were fully developed, and a remedy for the monstrous injustice you complain of is to be immediately applied. The Newspapers of this day will put you in possession of the future New Law on this subject, which I trust will meet your entire satisfaction. Bills under £25, are to be subject to a three-penny Stamp; £50, a six-penny Stamp; £100, a one shilling Stamp, not exceeding two months; over two months, an increase of one-fourth more; over £100, the Stamp is to be proportionally increased; any other information I can get you, pray inform me of, and,

“I remain, my dear Sir,

“Yours faithfully,

“RICHARD SWIFT.

“H. Fitzgibbon, Esq., Castlereagh.”

To some of the persons who may read this, I need not say (although others of them whom the subject most concerns may not know) that the writer of that letter was a gentleman of such wealth and importance in London, as to be selected a year or two previous, in order to discharge the high functions of one of its High Sheriffs and that he was, when writing it, Member of Parliament for the County of Sligo; and yet, although so affluent and

far removed from the scenes of poverty and destitution which must strike the eye of any man residing in Ireland, even one month in the year, I feel a pleasure in thus recording of him, as far as this my circulation will extend, that he felt as *acutely* on that subject, when brought under his notice as if he were an humble fellow-sufferer.

I only regret that a person possessed of such practical sympathy should not still represent an Irish constituency; but at worst, it grieves me that such a *single-minded* person is not the proprietor of a most widely-circulating Metopolitan Popular Journal, as then I might hope to obtain a fair hearing for this, as also for my humble opinions on Grand Jury and Fairs and Markets Reform; although long since, (for I tried them on it), they must have been considered as not worthy of the notice of those who think to hold in their Newspaper Offices the reins of a public opinion.

The following is from the pen of Frederick Lucas,—a *great man* in the opinion of those who understood in his day what should be the qualifications of a man fit to represent a great County; but in nothing was he considered greater than in punctually performing his promise; he was, at the time of writing it, attending to his Parliamentary duties at London, and it was published in Dublin, in the Tablet, of March 11th, 1854.

Extract of Letter, dated London, 8th March, 1854:—

“When we were at Tuam, Mr. Fitzgibbon, of Castlereagh, brought under our notice the great hardship inflicted on the small farmers of Ireland, by the Stamp Duty on Bills of Exchange. He shewed to us, that for small sums, such as are habitually borrowed by the small farmers, the Stamp on the Bill frequently amounted to more than the interest on the sum borrowed. I beg thus publically to tell Mr. Fitzgibbon that we have not neglected the case which he put in our hands. Several weeks ago I spoke to Mr. Wilson, Secretary to the Treasury, about it,—explained the nature of the grievance, and received from him an assurance that the subject already engaged the attention of the Government, and that a remedy would be speedily applied. This remedy is to be found in the Budget. In place of the existing Stamp, a new *ad-valorem* scale is to be imposed, and for all sums under £25 the Stamp is to be three-pence, instead of, as at present, two-shillings and half-a-crown. I hope this change will, in a great measure at least, satisfy Mr. Fitzgibbon’s just requirements.”

I regret the Government did not at the time institute another *ad-valorem* scale, for the present purpose also, as it was to it Mr. Lucas alluded when writing. For the present, therefore, I am fully borne out in saying, that had he been spared to this country for two years longer, he would not, if he possibly could, have left it so, as that a whole book must be written, on What?—on the forlorn hope of coaxing! the Representatives of the people, and the Newspapers of the people to do. I pray of them, this Session, what should have been done whilst

it was being passed into law, to use their combined and individual exertions to get rid of such an unmistakeable injustice, "from henceforth, now and for ever."

Being on the subject of public gentlemen who did and who did not display an active sympathy on those and other questions of no small importance to the poor and industrious classes of Ireland, the exertions of Patrick M'Mahon, Esq., M.P. for the County of Wexford, should not be overlooked; for had he not raised the point, it is more than probable the lowest Bill Stamp on the Schedule would be as originally intended, not less than three pence; whereas through his good management at the propitious moment, he had succeeded in getting reduced those having the largest consumption to 1d. and 2d., and for such like capable of bearing equal, in some cases much less sums, the poor people were paying during 13 years previous, 1s. 6d. and 2s.!

Few persons, if any, could know better than myself the great trouble he had undergone in getting his amendment for such reduction engrafted on the Bill.

I think I could claim a certificate at his hands for not being altogether idle whilst it was pending—that being after I had received Mr. Swift's very cheering and complimentary letter: for about a month still later, I had a note from him (Mr. M'Mahon), together with printed slips or notices of his amendment, for even a much further reduction than was conceded.

After apologizing, and explaining why he could not acknowledge the receipt of my letter and statement sooner, he concluded by observing:—"Although he gave notice of such amendment, yet he feared he would not be supported on it; however, if I considered the reduction of 3d. had not gone far enough, he would be happy to hear from me again, and soon." Which invitation I cordially accepted, and lost not an hour in endeavouring to place before him my humble views and arguments as to its necessity.

That letter, with some observations from myself to the editor of the "Wexford People," were then published in that Newspaper; but were neither borrowed nor once alluded to by either of our should-be fellow-labourers of the Dublin Press!

I then considered, as I do now, that the omission occurred through my name being mixed up in it; as exclusive dealing, so far as I was concerned, seemed to me to be "their order of the day."

Mr. Lucas, on writing from London some short time after, gave Mr. M'Mahon that full credit for his zeal in promoting the further reduction which he so richly deserved, and which no person is more ready or anxious to concede to him than I am.

That letter was not glossed over or suppressed by the "Nation," for along with copying it from the "Tablet," it made complimentary obser-

vations on the subject matter of it, and, of course, in praise of the Honorable and learned Member.

Although it may appear strange, or perhaps ungenerous in me to exhibit here this very *marked contrast*, still I cannot resist doing so, for the Honorable and learned gentleman will himself bear me out in saying, that the reduction of Stamps from 2s. 6d., 2s., and 1s. 6d. to 3d. was far and away a greater easement than that from 3d. to 1d. and 2d.; and yet the person who had laboured during nine years for the greater relief, and who had expended his time and something more, was completely ignored—whilst the gentleman who devoted not much more than so many weeks (as many, I admit, as he could, since the time it was brought under his notice), came in for a fair share of praise and approbation. I never since, could bring myself to imagine but that the “Nation” of that time had one set of weights and measures for its particular friends, and another for its country customers.

On this part of the proceedings, the “Freeman” had acted (if I can use the word) in a much more dignified way, for it held aloof equally from Mr. M‘Mahon as from myself, and thus so far as *it* was concerned, kept the world in the *dark* as to our respective labours, in promoting such a measure of relief for the people.

At that time I had the honour of receiving from Mr. M‘Mahon what I will call two State Papers! which in my mind do great credit to the writer; but looking on them as semi-official, I withhold them, although, if published, I think nothing in this would, by any proportion, so much interest the reader. But I am tempted to give extracts from other letters written by Mr. M‘Mahon himself, about that time and afterwards, in answering statements from me on the severity of the Process Stamp.

After alluding at length to another subject relating to Promissory Note Stamps, he writes thus :—

“Oxford Circuit, August 11th, 1854.

“DEAR SIR,—With regard to the Civil Bill Stamps, I must also say that I will be thankful for any detailed information which you may be able to afford me before the commencement of the next Session. You must know that, as a general rule, I am against those inferior jurisdictions. I fancy they are, on the whole, more prejudicial than otherwise to society at large; still the Quarter Session Courts of Ireland are, I believe, the best Courts of inferior jurisdiction in the world, and therefore I will be prepared to remove any provisions connected with them that are *oppressive* to the poor, and will be really thankful for any hints or suggestions you may give me. At the same time, I fancy that if you were to remind the Solicitor-General of his former views on the subject, he could now readily give effect to them. * * * Yours faithfully,

“P. M‘MAHON.

“H. FITZGIBBON, Esq., Castlereagh.”

“Temple, Nov. 27, 1854.

“MY DEAR SIR,—With your views on the Fairs and Market Bill, I implicitly concur, and will do my best to work them out in every way I can. I do not remember to have seen your letter to Mr. Gladstone, in the “Tablet,” on the subject of the new Civil Bill Act. If you have it, and can spare it, I will send it back after reading it. We want a thorough overhauling of our whole law system and local jurisdictions, as in New York.—Yours sincerely,

“H. FITZGIBBON, &c.

“P. M‘MAHON.”

The reason I here introduce the clause in that letter as to Fairs and Markets Reform is, that I may not have the same opportunity of sketching my plan for such. A detailed statement of it, and another for at least laying the foundation of an honest Grand Jury system, I had submitted about that time to him. I think it a *great step* to be fortified in my views on the first mentioned, by so eminent an authority as the honorable and learned Member.

The leading principle of what I will call my Bill, was, and of course still is—That the Tolls and Customs of small and middle class towns be applied for useful public purposes, by having them set up every third or other stated number of years, to the highest and best bidder, and their proceeds handed over to the person or body having the keeping of the County rates, and after such being duly presented for and passed at the Baronial Road Sessions, the proceeds to be applied towards the purchase and enclosure of suitable Fair Greens, Market Places, Shambles, &c., &c.; and after such being paid for, that the surplus do go ever afterwards (except where required for such Fair and Market purposes) for the making and repairing the roads and footpaths of such towns and of their approaches; or for the public or street lighting of such middle-class towns, many or most of which will, a hundred years hence, be otherwise in the same obscurity as they are at present! That such would have the effect of keeping somewhat reduced the County Cess of the respective Baronies in which every such town is situated, or the local taxes in any town where such street lighting would be attempted; that thereby the money levied on the people would revert to them indirectly, and for their own use and benefit: “always providing,” that in no case would my Toll Schedule be more than the one-half of these proposed in all the very *beneficent* Government Bills introduced on the subject; from that of Lord Naas, in 1852, to that of Sir Robert Peel, of a ten years later date—which last cannot be said, like the old malt whiskey, to have improved by time, for at best it was a “chip of the old block.” Therefore, if a person who had considered it for years, be convinced that the one-half of those intended to be levied under the Government Bills be sufficiently *onerous*, even when applied for the benefit of the people themselves, how *galling* must it be to see a *double* dose applied—for what purpose? For finding its way into the pockets of gentlemen proprietors, who give nothing in

return, save and except the temporary use of one or two acres of land ; in other cases, not more than the Queen's high roads, to the imminent danger of her Majesty's subjects.

Should Sir Robert Peel and his friends in office wish to legislate in an equitable manner on this question, and not permit themselves to be led, however unintentionally, towards the perpetration of a "huge job," whereby the proprietors of tolls and customs will be as they have been, enabled to pay their public taxes for their lordly castles and extensive demesnes, with the one hand, by the moneys they receive through the other, for doing in many cases, as regards the improvements of such towns, less than nothing, they cannot be at a loss for the materials for a wise and honest, and, at the same time, a truly popular measure, embracing the above stated principles ; for be it known to all men, that as well as his predecessors, my Lord Naas, and Messrs. Horsman, Herbert, and Cardwell, he (Sir Robert) during the last Session might be also enlightened by my plan, could he have only patience to read it.

But are English Chief-Secretaries, and Irish Attorney-Generals, the only persons at fault for framing obnoxious measures of this kind, and for endeavouring to fasten on us "in sempiternum," such an accumulation of local taxes ? I regret they are not ; for if they considered the Corporations and other public bodies of Ireland would act by their poor neighbours as they did by themselves, when some years since they had felt within their respective cities and towns, that their trade and improvement were shackled through the exclusiveness and monopoly of that time, they would not have attempted to invert, as regards the small towns, the very principle on which Corporate Reform was wrung from a very unwilling Government : therefore it is to be hoped that the Corporate and other public bodies of Ireland will not only oppose and defeat such measures as Sir Robert's Bill of the last Session, but that they will also endeavour to promote a good and useful measure on the ruins of the present anti-popular system.

My plan for laying the foundation of Grand Jury Reform was,—that as the lives and liberties of her Majesty's subjects must be matters of at least as grave importance as the making and repairing of roads, bridewells, bridges, and gullets, why not adopt the same plan in deciding on those minor questions, by summoning from the voter's roll of the respective baronies by rotation, and of as high a qualification as might be agreed upon, a certain number, say double, what might be required to act, to have such empannelled as in other jury cases, to decide upon their oaths as to eligibility of passing or rejecting such works as might be submitted for their consideration—always providing, that in no case, if possible, should there be more than one or two at most from the same property to act as jurors at the same Presentment Sessions.

I know that in putting forward that plan, I put it forward (except some of them may have since reconsidered it) as quite opposite to another put into legislative form by the present Right Hon. Justice Fitzgerald,

when Attorney-General, and sanctioned by such practical legislators as Mr. William Smith O'Brien and the late Mr. Sharman Crawford, and as I think by the gentlemen of the Grand Jury Reform Association of Dublin, or say of Ireland.

They all seemed to think that the elective system as in returning Poor Law Guardians was the only remedy for the present distempered state of those august bodies; whereas I humbly venture telling those of them now living, that this plan must defeat their object, for as I am confident that what they must have most at heart is to extend the privileges of the middle classes, how could that be effected through the means they had suggested? for it must be well known by this time that the landlord influence predominates in electing Guardians; therefore do I say that the same would of course be exercised in returning Members, perhaps the very same persons, for acting at the Road Sessions. Therefore, without for one moment questioning their probity or capacity for such public duties, do I tell the promoters of such elective system, that the consequence of it will be, that through their plan the landed proprietors can have their nominees always firmly seated in judgment, and that even under the present system there would be a better chance of some stray independent person being mingled in such genteel society, than ever afterwards could be hoped for.

Perhaps I would not have crowded this my humble view of the subject here, except that I think it would not get a footing in some of the most popular Dublin Journals. For, some years ago, but since Mr. A. M. Sullivan became the proprietor of the "Nation," and about the time Mr. Fitzgerald was bringing forward his elective measure, I had written to its editor a letter, showing up the fallacy of Justice Fitzgerald's Bill, which letter was given in that Journal, until it came to my Petty Jury remedy, when it was cut short, and the writer told, that although ingeniously put, still that it was liable to many objections, "which he (the writer) must by that time have himself seen." I never could see them since. A Provincial, with which the "Nation" exchanges, gave such plan since, and called it "admirable;" therefore, which of the doctors am I to believe? But should this part of my work ever meet Mr. Sullivan's eye, I beg of him to inform his readers of the "Nation," and myself amongst them, what are those objections, and convince me, if he can, by reasoning, and not by inuendo.

In putting this forward, I do not, nor did I ever, consider it a perfect plan for protecting the pockets of the great majority of the ratepayers; as, under the present state of the law of landlord and tenant, I defy the most ingenious contriver of popular legislation to invent any measure so as to prevent the rapacity of the wealthy and aristocratic classes, if they so willed it; yet I maintain it to be the best preparatory one, in case of the tenant ever being in the position of acting independantly.

If it be found fault with, the least that should be expected is, that the person so disapproving do produce a better plan of his own; and should

such a party be still in the "Nation" office, and that he attempts riding off by adopting the elective principle so much approved of by the eminent gentlemen already mentioned, he must, in the same breath, recant his admiration "of that Palladium of our liberties, trial by jury," and *seriously* tell its readers, that there are no persons so well qualified to try a man for his life or liberty, as any number of Magistrates, who, as *ex-officios*, may feel inclined to attend, no matter in what part of the county they may be resident, or whether they hold an interest in the particular portion of it in which they might be then adjudicating, such being then assisted *pro forma* by a certain limited number of the highest cesspayers, nominated by the Grand Jury, of which, perhaps, many of the attendant Magistrates might be component members; or under the improved Reform dodge, he must *kindly* permit the culprit to have the pleasing alternative of being tried by a Board of elected Guardians, who must, in such a hypothesis, be the sole and qualified, and duly authorized staffs, for "well and duly trying all cases given them in charge," &c.

I do not insinuate, but that in either case he might have as fair a trial as he could possibly be blessed with; yet if the "Nation" be for trial by jury, let it nail its colours to the mast, and never henceforth venture *pronouncing* my plan as liable to many objections.

According to my humble project, I would not of course exclude from assisting, by rotation, any Magistrate who might be on the voters' of the barony, as such elector, but not as a Magistrate; always providing he should be disqualified from acting during that year as a Grand Juror in the same county, and *vica versa*. For as well might it be expected that our Legislators, after acting and voting on a particular question in the one House, would ascend or descend to the other, and in either of them do likewise, as that gentlemen, acting and voting at Presentment Sessions, should afterwards do the same in the Grand Jury Room—or after prejudging, or, perhaps, promoting a job there, afterwards assist in swamping the independence of his "lower house" of local jurisdiction.

I know I may be met by throwing at me the Jury Packing system, and by painting in the most glowing colours the great protection of being duly represented.

To the first, I reply, that in my plan there could be no danger of my small panel being tampered with, inasmuch as that the roll should be gone through by rotation.

To the second, I say that no person can be a greater admirer of a popular representation than I am; but if such a privilege be perverted, and that it be used as "a mockery, a delusion, and a snare," and held by the village despot like the sword of Damocles, not by a single hairbreadth, but by the dread of a piece of parchment, to be signed by one John Thrustout, in that case, the person wishing the people to be so enfranchised must be very careless as to the consequence of their privilege if

used as men should, who are endued by any the least notion of personal independence.

But supposing the electric system to be practised without any danger for its consequences, I insist that even in that case, if a more simple, expeditious, and less expensive plan could be carried out, which would secure every thing to be expected through the voting system, it ought to be taken in preference.

That, I contend, is the one I have given; and curious would I be to hear even the most profound Special Pleader endeavouring to demolish the lasting foundation, the corner-stone of which I imagine myself to be now laying, however tedious the State Architects may be in raising the superstructure.

I have thus thrown forward, and in a hurried manner, those crude propositions; the first, for the consideration of Sir Robert Peel, on Fair and Market Reform, should he now bring forward another pet measure on that worn-out subject; the second, for the Government and Grand Jury Reform Association, as each will be sent a copy of this, so as to give them an opportunity for mature deliberation.

As being on the subject of how the "Nation" differed with me on other questions, I think myself not out of place here in relating—that during the Session of 1862, and whilst the "Freeman" was thundering in most vigorous and truthful articles, against Sir Robert Peel's Fairs and Markets (Ireland) Bill, and after the "Nation" itself had published a very good and useful article on the same subject, I, well knowing there was no chance of my being heard at the "bar of public opinion" in Princes-street, imagined I was helping the good work by sending not a long letter, headed "Revelations on the Fairs and Markets Bill," to that of the "Nation" at Abbey-street; but the reader cannot imagine my surprise at seeing it much abridged "for want of space," at the same time that it (the "Nation") had given full scope on the same and next column to another dated from the County Limerick, and signed "Agricola," written, as I considered, in rather an anti-popular spirit. Whereupon having written to Mr. D. Sullivan a letter which I considered he would not publish, as it would not show off the "Nation" in the best light on the question of objecting to or curtailing letters or parts of them, without even assigning the cause of at least the objections, I felt astonished on reading in the Answers to Correspondents of that Journal, of a fortnight's later date, "they had received from me another letter on Fairs and Markets Reform—that I was angry for the best points being left out," which I fully agree with it in so stating, "that I was equally displeased for their giving a hearing on the other side;" quite a distortion of my meaning: as what I mentioned was, "That having given full space to a party who had written even against the spirit of their own published articles, I considered it should at least have extended the same privilege to me as to him, who whether he resided at Limerick County or the "Nation" office, I will call the invisible opponent of us both."

The "Nation" also pronounced that letter of mine "to have no interest for its readers;" in which opinion of his I again beg to differ from him, as I think it was a *powerful* plea for the right of a correspondent being treated in any and every journal with justice. However, the best way to end the controversy as to whether that letter, which, in his opinion, "had no interest," had it, or had it not, would be to publish it; and if, after giving the *full* benefit of its circulation in the one *full publication* of that week's "Nation," he can find any three of its subscribers to agree with him, I will then freely give up my case, and say he has the best of the argument. But perhaps, if this be noticed, I may be told "that it was lost or mislaid," as the thing so worthless in the editor's eyes could not be worth a moment's preservation. To that I reply, that, even at any inconvenience, I can supply a true copy of it; and therefore, if, after giving it in full, he himself can, with all his tact, shew that it was what he described it after giving me the right of reply, I will even at the eleventh hour give in, and admit myself vanquished.

Mr. M'Mahon again writes:—

"Temple, Dec. 5, 1854.

"MY DEAR SIR—The "Tablet" I return, with thanks. I have read your letter with interest. The alteration of the old system of payment was obviously * * * * * I will do what I can; but, for the next year, I have work enough laid out for myself.— I may get some other Member to take it up. * * * * "

Here follows a plan of his own for going before the Clerk of the Peace, and for the parties admitting or denying facts connected with their proceedings, so as to save expenses of witnesses when not required, as also in not wishing to give further jurisdiction to Magistrates, which they since obtained, yet all evidencing the sympathy of the hon. and learned Member.

Again:—

"Temple, April 7, 1855.

"DEAR SIR—I have no hope of any good being done by the Attorney-General, but if once I had my hands relieved of the Fishery Bill, I would prepare a sweeping measure for our whole Assistant-Barrister's Court system."

"A letter to Mr. Keogh now from you, may perhaps stir him up to redeem his promise to you on the subject. Try him. * * * * "

"Yours truly,

"H. Fitzgibbon, Esq. Castlereagh.

"P. M'MAHON."

"April 23, 1856.

"DEAR SIR—* * * * * I have spoken again to Mr. Attorney-General about your suggestions as to the Stamp Duty on Processes, but he is not inclined to move. * * * * "

"Yours faithfully,

"H. Fitzgibbon.

"P. M'MAHON."

I had been for some time *weighing* whether I should have placed those extracts, as the lawyers say, *on record*; but it is not every day a history is written, and as the author is supposed to give an unbiassed version, I would not consider myself a faithful chronicler of those things very *inconsiderable* to persons who do not know the want of pounds—more particularly, as the opinion of the learned gentleman should carry much weight on such a question, I have given them, in order to shew that if redress be not obtained, I, at least, don't hold myself to be culpable in neglecting my case.

O'Connell often repeated, "A man should never give up whilst he had Justice on his side." Although up to this time I have not been successful on *this particular question*, yet I hope I can at least claim credit for my perseverance; on which qualification I may say I am now merely making an experiment—for as Her Majesty's Government after this glaring injustice being explained to even more than, I believe, their satisfaction! still persist in calling for "A long day, my Lord!"—That, although any person, save and excepting a Statesman, must consider they should be most anxious to convene the Parliament, if possible, earlier than usual, so as to stop such a flow from the poorman's pocket—How, I ask, can Perseverance herself effect it, if not sustained continually by the People's Representatives of the third and fourth estates of the realm?

The hon. and learned Member for the County Wexford, who, as a matter of course, will be sent a copy of this, can find hints in abundance in my Statement to Mr. Gladstone, as also in those sent to himself previously; and I more than expect, that, if in his power, he will now act on them, as no gentleman in the House can be better qualified for judging of the future by the past, it must be to him "a labour of love."

So far back as the year 1845, I had written a pitiful statement to him whom O'Connell used to call "Honest Joe Hume," and who when defeated at Middlesex, did through his (O'Connell's) influence, take refuge in Kilkenny, no person being better pleased with the good men of that city for making it a parliamentary asylum for him than I was myself, yet he did not reply to me, nor did he for years after make the least move for carrying out my not unreasonable intentions.

I here introduce him, as Mr. M'Mahon in a letter written to me at the time mentioned he had canvassed him to support his amendment, which he refused doing, and substituted one of his own framing for instituting an equal stamp of 6d. to bear all sums; as the 1d. stamp answers every amount receipted from £2 upwards.

Had Mr. Hume, when I had written to him eight years previous, then endeavoured to carry out his project, I would consider it at that time a great boon; but to come in at the eleventh hour and to endeavour (for he put his amendment to the House) to impose 4d. and 5d. additional on the very poor man, causes me not exactly to consider him the person the world may have given him credit for being the very rigid economist whose

candle-pairing seemed intended as for serving the great bulk of the people.

About the same time, I had written to Messrs. Bright, Cobden, Ewart, Thomas Duncombe, and other English M.P.'s, letters, each containing the same tale of woe! all to whom I then addressed myself, being Radicals and Freetraders. I received answers to that and another sent to him still later from Mr. Bright, but not one line from his great colleague in the anti-corn law agitation. Messrs. Duncombe and Ewart sent letters in reply, both very good and kind. That of the latter was published in the "Pilot" and "Register" Newspapers of the time, as it tended to do honor to the head and heart of the writer. The late O'Connor Don afterwards told me he (Mr. Ewart) felt acutely on the subject. I trust he will not be less sympathetic now, as he and Messrs. Bright and Cobden, and others of their school, will soon have an opportunity (if they will it) of seeing with their own eyes, by means of this pamphlet, the effects of at least as barbarous, although still a more beggarly system than that on which I had the honour of then addressing them.

About 1845, 1846, the "Register" and "Pilot" gave the benefit of their circulation towards publishing the draft or copy of the petition, then about being presented by the late O'Connor Don, at that time one of the Representatives for the County of Roscommon; whereas the "Nation," then edited by Mr. John Mitchell, refused me the same privilege, by saying, "until the people do return the right sort of Members of Parliament, there would be no use in forwarding petitions, therefore they must refuse."

Whether the right sort was since returned or not, the required relief was since obtained, *ergo*, that must tell against his foresight at that time; although the Newspapers which then published it have been for some years defunct; yet I feel it to be *justly* due to the then proprietor of the "Register," and to the memory of Richard Barrett, that their Journals were then opened for at least one useful purpose, and how it was that a refusal for the such like object from the quarter least expected, and which professed to be so far and away in advance of those that did the people's work for me, astonished me much at that time, nor do I now feel less surprised than I did then.

Although out of place here, I must not forget that I had ventured writing on the subject of the Bill Stamps to the Right Hon. Benjamin D'Israeli, when Chancellor of the Exchequer, in 1852, during the first Derby Administration; and although he did not seem to me to have noticed it, for I could not procure his "sign manuel," yet he did not give a factious opposition to either Mr. Gladstone or Mr. M'Mahon, but perhaps supported them.

I mention his not replying, not for shewing him in the same light as my fellow-countrymen who had acted in like manner when written to on Fairs and Markets Reform, as they must have had plenty of time for practising a small bit of condescension, if they so willed it, but in order

to give him credit for being consistent; for in some time after, Mr. Gladstone succeeding him in office, he seemed to deride him for his official politeness in replying to all such persons as then troubled him with their complaints and grievances.

His *caustic* observations at that time have not cured Mr. Gladstone of his then malady, for his later replies to myself shew him to be as *polite* as ever!

The late O'Connor Don should not be omitted by me when introducing the names of the other *good* men and *true*, who had endeavoured since his time to obtain an instalment of the rights of the poor Irish race; and although he was not spared to witness the vindication of that justice for them which he so *ardently* wished for, yet his memory should be as much revered by his poor countrymen as if he had survived, and was the sole promoter of the relief they have obtained since his death.

So far back as 1845 and 1846, he had taken great trouble in order to obtain even a mitigation of the then oppressive burden of the Small Bills and Notes Stamp Tax—in having written many private letters on the subject—in presenting, from Castlereagh and its vicinity, a petition to Parliament—in getting (at much inconvenience to himself) that petition put into due form, for being presented, according to the rules of Parliament—in speaking to it, and supporting its prayer, so far as the forms of the House would permit him, an abstract of which speech of his was merely given by the London “*Times*,” and oh! the inconsistency of that *could-be-useful* publication, and also of the London “*Weekly Despatch*,” as a short time previous I had written to both of those powerful organs of public opinion, statements of the direful effects of the Stamp Acts of that day, and yet when that which should be most *interesting* to such Philanthropists was fully brought under their notice, they treated the subject with as much indifference and silence as if they had never received any the least information about it.

That was after the “*Times*” had gone to much expense in sending to Ireland *him* who was then “dubbed” its Commissioner, for the sole and special purpose, as it were, of reporting to the world the wants and privations of, and of course the injuries inflicted on, the poor peasantry of Ireland, whilst many who may read this could see every other week, at that time and since, the “*Publicola*” and “*Caustic*” of the other, attacking abuses, some, perhaps, imaginary and some not, but any or either of which could not be more oppressive than those they had been put into full possession of, and which, at the same time, they had overlooked and neglected.

The O'Connor Don also waited on Sir Robert Peel, then Prime Minister, and presented him a memorial, as also another to his then Chancellor of the Exchequer, the late Henry Goulbourne, whose reply to him was—“No doubt it is a great grievance; but in order to raise millions of money, it is necessary to tax millions of people: at the same time that he did not wish to give even *a side* glance at the inequality of its working.

After the passing of the Stamp Assimilation Act, O'Connell, in deploring its probable consequences, used to say that "Goulbourn would then die easy," as that for many years previous it was a favourite project of his, as also the imposing still further on poor Paddy a full back-load of taxation; yet he did not go the way of all flesh until he could have heard the present occupant of his office telling the House and the Country that his bantling was unjust and oppressive, and as such, without pity for its age, for it was only about 12 years, it was consigned to that grave, which he, *poor man*, did not expect to live and see opened for it.

So I pray that Mr. Hatchell may not descend from his present proud and elevated! position, or Mr. Whiteside ever ascend to the summit of his *natural* ambition, until each may behold, what it must be to both of them, the melancholy interment of their *Law Taxes*, worthy of the days of old Mr. Goulbourn and his favourite scheme "for raising millions of money, by unequally taxing millions of people."

Here I think it right to *note*, that about three years since I was speaking to a barrister, who may be said to have spent his life in the ranks of the people, as he was at that time also zealously working in his professional capacity for them, I then reminded him of the teachings of O'Connell, on Cheap Law; and as he had proved himself to be a most dutiful pupil of his, up to the end of his career, I expected he would use his *versatile* talents in procuring the required relief for his countrymen; whereupon he told me "any statement I had to make on it, send it to the Freeman and it was sure of being inserted." I replied, that seeing that letters from me on other public questions were entirely neglected in that quarter, I had no faith in anything being done there for me on this.

He then handed me his card, and ordered me to send it to himself and he would insure its insertion. Months rolled by, when an opportunity offered of sending him a slip or proof of a letter on the subject, which was published for me in a provincial paper; I also reminded him of the pledge he had given, from which I am bound to believe he must have brought or sent it to the "Freeman," but from that time to this a line of it, or one advocating its principles, did not appear in that paper notwithstanding his promise of promoting my views—yet I must admit that before parting, he observed, "there never will be any relief obtained on it, for the Attorneys to a man will be against it." I told him then, as I repeat now, that I could not imagine they would, for I ask the most ingenious of them "how could it possibly affect them?" Nay, I defy any of them to show that it would.

I will go even further in saying, "if I considered it to be injurious to gentlemen who had expended their time and money in qualifying for their profession, I would hesitate before sticking my hand into such a hornet's nest as that of justly exciting their indignation;" I beg to inform him that so far from their being opposed to such relief, one of the most eminent of them in the West of Ireland lately admitted to myself, "that it is a very severe and unjust tax, and therefore,

“that it ought to be much modified; but all he dreaded was that the Government was brewing a greater infliction, and therefore, bad as the present state is, we might soon find ourselves, if possible, even worse.” Therefore, taking him to be then representing the gentlemen-solicitors of Ireland, I feel a native pride that imaginary selfish considerations will not sway them in obstructing such a remedial measure for their poor and helpless fellow-countrymen.

Having forgotten, when treating on the subject, to explain my reason for thinking the Presentment Sessions the most fit place for the management of Fairs and Markets reform, according to my plan, as an appendix to that part, I wish it to be understood that I adopt it for two causes: the first as middle-class towns in Ireland are, in many cases, held under the one proprietor, there would be less danger of undue influence being practised or attempted with a Board, presumed to be in some measure representing the entire barony: the second, as it would apply to many country villages in which one, two, or more large fairs are held annually, even if my first objection would not lie, that in such case it would be impossible, even if sanctioned by the law, to find any sufficient number of inhabitants of such places qualified to act as Commissioners.

I put it thus, as some years since a now very distinguished editor of a Weekly Dublin Newspaper met me by saying, “Towns Commissioners were his remedy for all such abuses,” when I soon silenced him by assigning the above reasons. I repeat them here, in the hope of protecting myself from being again misrepresented by any section of the Press of our country, for no person is more anxious to see the elective principle in the ascendant, when and where the enfranchised parties and the elected could act as *free agents*. In other words, I would be most anxious to see the class town in which perhaps three or more different persons might have separate fee-simple interests, duly represented for all purposes of local improvement and taxation, by qualified persons residing in them, who should be very good judges of the wants and wishes of their fellow-townsmen; whereas I would be for handing it over (if under the one autocrat proprietor) to the authorities of the district or barony, who, according to my project, must be equally solicitous for the due appropriation of that part of the public money as if they were residents, inasmuch as that it could not be diverted from the special purpose of improving the town, and therefore applied towards the reduction of the cess of the whole barony.

Thus, with my method for forming the Boards of such Presentment Sessions (if such reform were conceded) it would be absurd to imagine that a body of persons so constituted would be willing instruments in promoting other than useful and economical undertakings, conducive to their own benefit as to that of the ratepayers at large.

Doctor Gray’s admirers give him much credit for almost originating, and actively promoting, the collection of, I hope, many thousands towards the erection of a monument worthy of “THE MAN OF THE PEOPLE.”

I have also seen exciting articles on the same subject in the "Nation," "Irishman," and other popular Journals ; some, in their zeal for perpetuating his (O'Connell's) memory, wishing to have it in this street, and others in that green or square. The world may give to each of them full credit for the best possible intentions, as every component part of it may agree in their respective views of sites and mottoes ; but in my *singular mind*, the best touchstone for testing them is—which will most zealously, and without intermission, endeavour to procure relief from this oppressive impost, and thereby endeavour to carry out his oft-repeated intentions, which none of them can "pronounce" to be impracticable, and thereby assist, in a measure, "the bringing law cheap to the poor man's door."

I wish here to pay the humble tribute of my respect for the memory of the late lamented Maurice Leyne ; who, in 1852, after a few words conversation with him in the "Nation" office, as to those unequal taxes, although then new to him, saw into it without any the least hesitation, and in a warm and courteous manner, I believe peculiar to him, invited me to put my views on paper, and he would see after it and do the work. Time passed on, and as I was afterwards much hurried, perhaps discouraged through the neglect of others I had previously applied to, I learned he went to Clonmel, and thence, I hope, to a better world. I trust I may never forget him, as no man could who ever once saw his fine athletic stature. I give him equal credit for single-minded intentions, as if he had been spared for reducing them to practice.

His prompt adhesion to my views, reminds me in contrast of a gentleman who some years since figured prominently in the Lower House, and on anything connected with the Banking system was a host in himself ; yet on my reminding him by letter, about two years previous, of the grievance of the Small Bills and Notes Tax, as also of some points of another question then passing through Parliament, I merely received in reply "his thanks," and that he would give those questions his best consideration ; but up to the time he had retired from public life in that House, I never could learn he had acted on his promise.

The "Roscommon Weekly Messenger," did good service on the repeal of the Stamp Act—on the relief (if it could) of this obnoxious measure—in publishing letters on Grand Jury and Fairs and Markets Reform, and in giving me a general invitation for using it at all times for such purposes, which I had acted on for some time ; but seeing that the letters and articles which appeared in it were not borrowed or otherwise noticed, or their principles advocated by the Dublin popular press, with the whole of which it exchanges, I gave it up as a hopeless game to attempt putting forward principles affecting a whole people, in a paper not having more than a respectable circulation in this and the adjoining counties ; whereas had its Dublin cotemporaries taken up those questions *warmly*, and *even* in the way I had put it for them, they would have shown a willingness to probe, if not an ability to cure *those ulcers* so much affecting the health of this "their own, their native land," quite clearly brought under their

notice, and which not one of them could have the hardihood of shewing in any other light than as dangerous to the "body politic."

The "Connaught Patriot" also gave me the benefit of at least a local part of its circulation, but from it being crowded with very important subjects, I have not troubled it lately; yet so far as we had travelled together, I think it can bear me out in saying that any of my letters and other articles, on the abuses I was then writing against, as from time to time they had appeared in it ("the Patriot,") never once found their way into any of the *very popular* Dublin Journals, with which it was then, as now, exchanging.

Therefore, am I driven to the necessity of advertising my "quack medicines!" in this manner, but not until the gentlemen who had taken out their diplomas for State Surgery, have, as regards those distempers at least, entirely lost sight of their poor dispensary patients.

The Representatives of our country, I regret to say, have entirely overlooked this question; for from its enactment, about twelve years since, up to the present day of this the Session of 1863, I never could learn that any one of them even whispered it in the House, although up to this I have made some efforts to impress its injustice on some of them. I received admissions of making out "a very strong case," and promises of speaking to the law officers of the Crown about it; but there the matter has rested, and where to turn for relief I know not, except by taking the "reckless course" I now am running, and a fixed intention of not drawing a bridle until my good nag, Perseverance, although then I fear much jaded, may win the race.

Should any one of them even now affect a willingness to act on it with vigour, "if they could but know how," I refer such benevolent gentleman for a precedent to William Ewart, Esq., who will tell him, that about the July of 1842, 1843, he being then, as now, M.P. for the Dumfries District of Burghs, he simply, and in a few words, explained to the late Sir Robert Peel, then Premier, the grievous hardship endured by the artizans and labourers of Great Britain, having to pay 30 per cent. more of an *ad valorem* duty on foreign cheese and butter of the coarser qualities, than the rich and wealthy did for the finer sorts which they were in the habit of consuming; to which Sir Robert replied, "He would give it his best attention," and applied a suitable remedy early in the ensuing Session.

Now, I most respectfully insist, that any one Irish M.P. could on this, "*do likewise*," and far and away a better grievance would he have to produce to the law officers and others having the cure in their own hands; for the difference through this *heartless impost*, as regards the very rich and extremely poor man, is not only 30 but, in some cases, 320 per cent. And if with such a glaring contrasted injustice staring them in the face, they still assume a dignified silence, where are our public instructors to come from, or where are the fresh "sentinels on the watch-towers" to be found, if the gentlemen, both in the Senate and at the Press, to whom thier poor countrymen are taught to look up, neglect their part of the

work? and if the most gifted and enthusiastic among them will again say, "We will not descend to the perpetration of small jobs in a Foreign Parliament, until we find ourselves in our own House at home?"

To say the least, I much question the wisdom of such a resolve; for according to his own teaching and the general opinion, "Our people are much impoverished through foreign misrule; but give us the right of domestic legislation, and all will be soon well through our own fostering care, and the money of Ireland being spent where it ought—in the country where it was produced and earned."

Therefore do I contend that, according to himself, one shilling now would be more useful than two shillings and sixpence then; and in such case is it the more incumbent on him to use every effort for immediate relief, if for no other purpose but that of showing that he must be practical in his own country, whereas he had stickled for justice for his poor and oppressed countrymen in the distance. Should he neglect it, he may persuade others, but I cannot be convinced, that a change to Ireland will cause the same men to attend to the same work there which they had neglected at Westminster.

Should this effort fail me, I think that without leaving this, the county of Roscommon, I can fall back on its senior Member, Colonel Fitzstephen French, to support my views, not as being one of his constituents, but according to his own fixed principles even before he was first elected; for he was, in early life, according to his then published speeches, a vehement declaimer against the then enormous duty on Glass, *merely* because it prevented the very poor man from ever enjoying the comfort of a small window, although it was quite optional with him to purchase one if he could, or to exclude the light by sticking an old hat into a hole in the wall. He (the hon. Member) must admit, that although a severe tax, it was equitably levied, inasmuch as that the poor man paid only in proportion for what of it he purchased, at the same time that the great man should do the same for the large quantities of it which he must have been purchasing and requiring from one time to another. But let him neglect this case, now that it is clearly submitted to him. He might as reasonably tell his friends in Roscommon, that then the poor man's cabin ought to be subjected to the same amount of glass-duty as the great man's castle, as that he should be now taxed in at least an equal amount for being sued for 2s. 6d., as his wealthy landlord for £40 sterling!

About the December of 1845, I ventured producing for him a lengthened statement on the then Stamp Act, and went the distance of fourteen miles to and fro, in order to induce, if I could, the hon. Member to obtain, if within his power, the required relief, when he told me he would not leave Ireland until he should see Sir Thomas Freemantle, then Chief-Secretary about it, yet it was about eight years after before redress was obtained. I have cause to know that there was no Member in the House who felt better pleased at the change than he did, as I am certain he gave it his strenuous support, for I received a letter from him at the time,

which was the more welcome as it was not in reply ; but having spoken to him about this grievance one or two years later, I thought he did not relish it too well, neither did he answer a letter which I had sent him on the same some, short time afterwards.

At that time some Lords of Manors had their Seneschals, whose Processes were not dearer than those of the County Courts ; therefore that in itself might cause gentlemen to look upon the inutility of my project ; but they cannot view it in that light now, for the Manor Courts which were then held only once in a month, or two, have been since abolished, whereas now that a weekly facility is given through Mr. Whiteside's Act, the oppressive nature of heavy Stamp taxes for small sums must be much more severe in those that are extant, than in the Courts which have been abolished to make room for such a blessing for the very poor man, as "The Manors Court Abolition Act."

Therefore, whether I may ever again have the honour of receiving a congratulatory letter from our worthy Representative or not, I hope that before the expiration of the present Session, I may have the pleasure of seeing he has not forgotten his early teachings—for he must so far agree with me, that whether an unequal tax be levied on Glass or on Civil Bill Summonses, it is all the same to the poor man who loses his money by either ; and I know he will not tell me that the more unjust or unequal a tax is, the longer it should be left to linger on the Statute Book. Therefore will I be much surprised that, if possible, the hon. Member would give Lord Palmerston even a week to consider, until he comes down to the House and indignantly claims from him so far at least justice for the poor tenantry of Ireland.

I feel so *acutely* on this subject, as that I am almost certain should the most zealous and gifted of our Ecclesiastics only obtain a glimpse of the workings of those Acts, they would *consistently* hurl their denunciations against them ; for as they justly discountenance every imposition and oppression practised in private life, it should be expected they would not close their eyes on this. They devote much of their valuable time in impressing on their poor people "the giving unto Cæsar what justly belongs to him ;" and by a like rule it is to be hoped, that should he become an extortioner, they may equally strive to soften his heart into justice, and use their well-earned influence where such may be available, towards the obtaining of restitution, not of the money which has left these poor men's pockets never to find its way back to them, but the restitution of their just title to a fair and equitable system of taxation.

In order to place the question of this unequal tax so plain as that no person can excuse it, I repeat here, that if the most abject person who rents a cabin be sued to the County Court, for say 2s. 6d. to 5s., and that his most wealthy neighbour be cited to the same Court, and for the same day, for £40 : in case of both settling before, the highest amount of Stamp duty such very rich man will pay is 1s., as persons of that class do not require to give security ; whereas the very poor man must do so, as his sureties are liable to be sued with himself, therefore in such case must his costs for law stamps be much greater !!!

Again, if the most humble creature in society be summoned to the Magistrates' Court, for say a small debt of 2s. 6d. to 5s., and that the most opulent person in his vicinity be sued to the same Court, and on the same day, for £10 for wages or trespass, the lowest amount of Stamp-duty the poor man has to pay is 1s. ! it may be 1s. 6d. to 2s. !! whilst if the rich man also settles before trial, the highest amount of his Stamp duty is merely 6d. !! or thus, for 2s. 6d. of a small debt, Stamp duty say 1s., 1s. 6d. or 2s. ; for £10 in wages or trespass, 6d. !!!

Surely any man must admit, that the person in the capacity of hiring servants and labourers, and of keeping cattle capable of committing large trespass, should be better able to pay a large Stamp duty than the poor man who must do his own work ; but no, our Solons and Lycurguses think otherwise, and therefore their "Sic Volo," "Sic Jubeo," is statute law !

But it may be imagined that the small debts cases are so few, and the large ones and wages and trespass so many, as that it would not be worth while to disturb the "statuo quo;" yet when the reader is informed that such is quite the reverse of things as they are, for there must be process issued for ten small debts to the one large one, what must he imagine the feelings of those to be who could have permitted this unnatural state of things to last even one month, seeing that very little trouble on their part must cause the system to be completely altered, and if so, it must be for the better, for worse they could not make it.

I consider this as not quite to my purpose, should I neglect again alluding to Mr. Whiteside's Act, which is in reality what he entitled it, "one for facilitating the recovery of small debts ;" for through it, if the sum be due one day longer than twelve months, persons living in parts distant from Quarter Sessions towns are debarred from suing in the Court of minor jurisdiction, as the statute of limitation for it, is merely within the year ; therefore, parties who otherwise might be inclined to be more indulgent, as a choice of evils, feel impelled to proceed even sooner than their inclination might lead them to, in order to avoid the delay and inconvenience of going to a distant Quarter Sessions.

Thus is the trap set, from which even the plaintiff, in many cases, cannot well escape ; therefore it would be a mercy to have the period extended to three years, as also that the Summons in such cases be exempted from any Stamp duty, as the greater the facility for suing, the cheaper the costs ought to be. Yet in order not to disturb the Stamping system of those Courts, and to give no excuse for the further continuance of the *heartless* exception of *Stamped Copies*, all that is required is to place them in the same position as the rich man's Summons for £10, in wages, trespass, &c., by having the Original stamped 6d., and its Copy or Copies on plain or unstamped paper.

I know I will be met by saying, that those Stamp duties have been instituted in order to pay for the advance in the Chairmen's Salaries, and which were created for them by reason of their former fees for signing the executions of their Courts being dispensed with, as also for compensating the Seneschals, whose Courts were discontinued, for it is called "The Manors

Court Abolition Act," had such been really the intention; what could be easier than to affix them to the same Executions for which money used to be given.

I am almost certain there is not one of the first named class of gentlemen who would wish to be made comfortable and happy at the expense of the poor and the wretched.

What I say of them should be equally expected at the hands of those of the second, who being from the immediate ranks of the people, and therefore more conversant with their privations, should, if possible, feel more acutely for every infliction practised on them; but were it to be otherwise, "must the poor man starve, in order that the rich may dine?"

Therefore, I ask the Irish admirers and supporters of the Income Tax inflicted on *their country* in 1854, Where now are your promises of its being like Holloway's Ointment, "a plaster for all sores," if, after the millions drawn out from it since its enactment, a small fractional part could not be spared in order to pay off the few thousands for such increased salaries and superannuations, and thus save from being tortured the *poorest* and most *wretched*, through a relatively far more reckless impost, wrung (if I can use the expression) from their extreme *distress* and *misery*.

Of the Chairmen I cannot complain, as not having applied to any of them except a retired one, the present Attorney-General, who had acted as such in two Counties. Were I to judge of them by the "cold shoulder" I received from the Right Hon. and learned Gentleman, I should not be over-confident of their active sympathy.

As the grievance I complain of has not perhaps as yet come within their cognizance, for it chiefly affects parties who do not enter their courts, I must imagine them to be most benevolent on it, until such time as their neglect of endeavouring to redress it, may give me cause to think otherwise.

Before "closing my account," I wish to return to the Right Hon. Wm. Gladstone, and to say, that about May or June, 1854, after his producing his relief on Small Bill Stamps, I had sent him a lengthened statement on the present subject (that alluded to by Mr. M'Mahon as being published in the "Tablet"), and in about eight days after I got an acknowledgement of its receipt by the Lords of the Treasury, the effect of it being—nothing!

By mere chance, I lately found the two following letters, in reply to like communications from me, both having a similar result!

"Downing-street, 18th April, 1855.

"SIR,—The Chancellor of the Exchequer desires me to acknowledge the receipt of your letter of the 16th instant, on the subject of the unequal working of the Civil Bill Act (Ireland) in regard of Stamp duties on persons sued for Small Debts.—I am, Sir, your obedient Servant,

"H. Fitzgibbon, Esq.

"ALEX. DUFF GORDON."

"Downing-street, 17th May, 1856.

"SIR,—The Chancellor of the Exchequer desires me to acknowledge the receipt of your letter of the 15th instant, further on the subject of the tax on Process Stamps, and suggesting the propriety of instituting Stamps on

Decrees and other Executions of the County Courts.—Your obedient
Servant,

“ALEX. DUFF GORDON.

“H. Fitzgibbon, Esq. Castlereagh.”

Whether I had sent him others on the same or not, between 1856 and 1860, I cannot call to mind, but certain I am that in the August of the last, I forwarded another, for which I got a receipt from his present Secretary, and dated a day or two after mine reaching, but on which, as usual, a like do-nothing rule was put.

After waiting two years and-a-half, expecting that something might turn up to soften our rulers and law officers, how was I surprised to see in last year's Budget reduced from 1s. to 3d.!! the duty on what?—on playing cards, which any pious person not conversant with State affairs must imagine already too cheap.

Again did I venture sending to him the statement of the 15th October, 1862, and after anxiously waiting for many days I gave up all hope of a reply; but, after a month's delay, was agreeably surprised with that in front, and which left me no alternative but that of keeping my word with him—by getting it published and circulated as widely as my first edition will permit me.

I said to him I would send one to every Irish M.P., and many others.—I now tell those of the public who may chance on this, that I will also endeavour to have copies forwarded to the Catholic Young Men's Society, the National Brotherhood of St. Patrick, to Mechanics' Institutes, and other reading communities in more than one district of the country; in fine, wherever it may have a chance of being even glanced over, and which I hope may have a better effect, at least for opening men's eyes, than the course of silent argumentation I had hitherto adopted.

And here I beg to *impress* on even the most strong-headed of his colleagues, that nothing can better show the necessity of Universal Suffrage, the Ballot, and all the et ceteras of Radicalism, than the infliction of unequal burdens on the unrepresented portion of the community, who if, or rather when they do plant their footsteps within the portal of the Constitution, must be but too well taught to retaliate on them with a vengeance; for how can they expect them to be over exact, even in respecting public contracts, and of course paying the public creditor (the only excuse they have for excluding them), if in this their day they neglect plainly shewing them that they are *scrupulously* exact in all their dealings with them?

Should I not be successful in my present undertaking and its purpose, yet if my feeble efforts would induce Irish Representatives, if not to promote, at least to prevent, the perpetration of “small parliamentary ‘jobs,’ ” injurious to their poor people—if it would cause the popular press of the Irish metropolis, to give a clear stage and fair hearing to every side of any question worthy of being openly and evenly discussed—if it would lead Irish Secretaries and their Law Officers to pause well before pressing through Parliament obnoxious measures of local taxation for the poor of their country—I will not consider my labour altogether lost.

Should a Fairs and Markets Bill, or a Grand Jury Reform of antipopular tendencies, and therefore, as such, unpalatable to the recipients of such *charitable distributions*, be pressed forward and passed during this or any future Session of my short sojourn here, in such case, I hope (D.V.) to venture another small book on those particular questions in which my letters to Lords Derby, Naas, and other gentlemen in office will be reproduced, as also some of those I had written to Irish Members, without their inducing any acknowledgement of them : and if after going into further detail on those subjects, I be not able to convert them into the faith of my opinions being just and practicable, I will of course give up the controversy, at the same time that I must consider my opponents to be in any wise but tolerating and reasonable ! yet I hope my little political catechism may be read and judged of by others than themselves, who will, I hope, think better of it.

Our gifted countryman, Carlton, in his "Traits and Stories of the Irish Peasantry," introduces to his readers a very diminutive yet pugnacious tailor, Neal Malone, who, whenever he was near losing his balance through the smacking influence of an over-dose of the "mountain dew," was always on such to-him-*glorious occasions*, in the habit of dragging his coat through the fairs and markets in his vicinity, without such having the desired effect of inducing the stout fellows gazing and laughing at him to accept his pigmy challenge. When all failed, he concluded by kneeling and praying, "that some person would fight him for charity's sake ;" so have I never been so fortunate as to find any of our powerful gentlemen so condescending as to argue or differ with me on this or any other question I had ventured bringing before them.

I must still (as I often did) imagine that like little Malone's strong neighbours, they must have been for many years merely laughing at me in their sleeves, and *felicitating* themselves that their faithful coadjutors, "Circumlocution" and "Procrastination," would do their work, without implicating themselves in such an undignified and unprofitable quarrel ; but whether I may be sneered at, or be the innocent cause of their bursts of uproarious laughter, I must nevertheless keep moving, and perhaps, like Neal, I may offer up an odd prayer, through petitions to Parliament.

I am here reminded, that about the year 1852, a gentleman, admitted to be a great authority on most difficult and intricate matters of finance, observed to myself, "All that is wanting is to induce *merely* one Irish M.P. to take up the question of Small Bills Stamps, *seriously* and *perseveringly*, when it would be impossible for any Government to continue such a system even two years longer."

The same opinion equally applies to the Process and Summons Stamps ; and although I thought I had made out a very good case on them for Mr. Gladstone, still I feel that it is more than supported in the speech on the Address of the hon. and learned Member for Dungarvan, in which he is reported to have said, "That the consumption of Civil Bills has been for the last year twenty-fold greater than for a like period during the previous seasons of comparative prosperity." Therefore, if before I calculated on his

strenuous support for obtaining the much required relief, according to his own shewing he should be much more on the alert than I could have then expected—as no person can better understand that the greater the demand for them, the more *wide-spread* and *destructive* must be the oppressive load under which his poor countrymen have been groaning, and which they will have to endure much longer, if not now sharply looked after by such a leading Member.

Although Lord Palmerston may ride off from him by making his fine-drawn distinction between starvation created through a scarcity of raw cotton in the manufacturing districts, and the same caused in Ireland through the failure of the crops ; in this case he will be compelled to admit that there is a *marked* difference in the value of two large coppers and of a white shilling ; and if through an affectation of obtusiveness there be no convincing him that there is ; in such case, but without wishing to create a panic in the money market, the public creditor should not feel quite easy in the case, for should the people “ by-and-by become the stronger,” they might take his Lordship at his word, and get it into their own heads to pay off the National Debt through his own depreciated currency.

Indeed, the only *plausible* excuse I have ever read against the whole body of the people being invested with the same constitutional privileges as the most wealthy in the land, was the danger that might accrue to the credit of the country through such an influx of Radicalism. I here tell Class Legislation, that if in this its day it avails itself of its present privilege, and *shamelessly* and *unequally* taxes the unrepresented classes, should the tables be ever turned and that they attempt reversing the present order of things, they will be only following the pattern or copy set to them by yourself ; therefore do I pray of you to “ be wise in time,” and recollect the passage in the Gospel, “ Make unto yourselves friends of the mammon of iniquity.”

Dean Dawson, the respected pastor of Carrick-on-Shannon, and O’Neil Daunt and Joseph Fisher, Esqrs., have each of them lately written with much power against Mr. Gladstone’s system of international taxation.

I fully admit that the Stamp relief I am looking for should weigh but as a feather in the scale against their well considered plans for relieving their poor country from the accumulation of her intolerable burdens, for as my remedy merely goes to shift the payment of the paper from those who do not *even* enter into the *dance houses* of the law to those who do, and who dance at them, I believe it would not save a pound as between one country and the other. Yet I respectfully say to those gentlemen that they could not lay a better foundation for carrying up their grandly-conceived and stately edifice of Ireland’s prosperity, than by giving a helping hand on every such question as this ; for what attention can be expected from the stronger country to the most persuasive arguments of her poor sister, for a fair applotment of their mutual taxation, if the few sons of the weaker who may be considered wealthy, influential and intelligent, do not themselves be patterns of self-denial in helping their impoverished brethern towards being relieved from the unequal burden they have been bearing, not for five years, which Mr:

